

## Overview

King George County is updating, modernizing, and restructuring the zoning and subdivision ordinances into one seamless regulatory document. The revised zoning and subdivision ordinance will:

- Provide streamlined and user-friendly regulations;
- Incorporate best planning practices and current state code requirements;
- Address the goals and strategies identified in the Comprehensive Plan; and,
- Consider citizen needs and issues identified through the public engagement process.

This process will be guided by County staff, the Planning Commission, and the Board of Supervisors with opportunities for input from stakeholders and citizens.

## Agenda

The March 29<sup>th</sup> meeting will focus on reviewing the proposed articles:

- Article IV, Primary Zoning Districts
- Article V, Overlay Zoning Districts

The following agenda is provided as an outline for discussion:

1. **Schedule & Progress to Date** – 5 minutes
2. **Proposed Article Review** – 60+ minutes
  - a. Article IV – 30 minutes
  - b. Article V – 30 minutes
3. **Next Steps** – 5 minutes

## Schedule & Progress to Date

*See Attachment A* for the project schedule. Progress to date includes:

- **Staff Kickoff** – Held on July 14, 2021. The Berkley Group conducted a kickoff meeting with King George County staff to review the scope of work and deliverable items.
- **Joint BOS and PC Kickoff** – Held on September 15, 2021. During this meeting, the Berkley Group gave a presentation on the scope of work, schedule, and Zoning and Subdivision Ordinance diagnostic report.
- **Public Engagement** – Public engagement offered opportunities to collect community feedback on priorities for the ordinance update. An online public survey was conducted from October 1-31; public workshops were held on October 20 and October 26; and stakeholder interviews were conducted on October 26.

- **Planning Commission Worksession #1** – Held on November 30, 2021. The focus of this meeting was to discuss the overall public engagement summary and key findings, and to review the proposed structure of the revised ordinance.
- **Planning Commission Worksession #2** – Held on January 25, 2022. The focus of this meeting was to review and discuss drafts of Article I, In General, Article II, Administration, Article III, Permits and Applications, and Article IX, Nonconformities. Edits and revisions were discussed and sent back for additional PC review on March 1, 2022.

### Proposed Article Review

*See Attachments B and C* for the proposed articles for review. During review, consider the editor's footnotes. **The provided footnotes explain inclusions, omissions, modifications, etc.**

*See Attachment D* for related definitions.

*See Attachment E* for research of other localities' additional CBPA provisions for consideration.

*See Attachment F* for research of other localities' cluster development provisions.

#### Attachment B: Article IV – Primary Zoning Districts

This Article contains content from the existing Ordinances Article 2 and 3. Proposed changes include general reorganization of general content that applies to all development and changes to district standards, including setback and yard requirements, and the introduction of height regulations. The following items highlight significant proposals for the County's updated ordinance:

- District standards are now in table-format for similar districts (Ag together, Commercial together, etc.)
- Height maximums are now provided for all districts; typically allowing 35 ft (two stories) for most buildings.
- District standards changes:
  - a. All districts now have two measurements for front setbacks based on adjacent right-of-way (ROW) – less than 50 ft and 50 ft or more. All front setbacks will be measured from the edge of the ROW.
    - i. Agricultural districts already provide this method; propose to require the same for residential, commercial, and industrial districts.
    - ii. This will provide a consistent baseline from which to measure setbacks, yards, and other district standards. Currently, centerline and edge of ROW are used dependent upon the recorded plat and/or definitions within the ordinance. This is intended to address appropriate setbacks whether a front lot line, as shown on the plat, is in the ROW or on the edge of ROW.

- b. Section 4-2-3 B:
    - i. Research shows that most localities address raised structures through their Floodplain Ordinances.
    - ii. Provides for raised structures, and references the requirements of the Floodplain Management Overlay, where raised structures would be constructed.
  - c. Section 4-2-4:
    - i. Proposes a new approach to measuring lots and setbacks; this section no longer provides for Irregular Lots, as staff noted they are not used. The changes provided are intended to streamline and simplify the determination of setbacks.
  - d. Section 4-5-2:
    - i. Proposes a simplification of density for the R-3 district; MFD density increased from 8 to 18 du/acre.
    - ii. Proposes that open space requirements apply to *entire* R-3 district, rather than based on lot size and/or number of lots – as provided in the existing Ordinance.
  - e. Section 4-7-1:
    - i. Increased side setbacks for Industrial districts to 20 ft. (up from 10 ft.)
- Addition of a waiver provision for Planned Development regulations (RC and MU districts) to allow for variation from the regulations, when appropriate and approved through the rezoning process.
  - District standards have been provided for the R-C district; they were not previously included in the existing Ordinance. They have been drafted similarly to the M-U district to provide consistency in the standards of both Planned Developments.

#### Attachment C: Article V – Overlay Zoning Districts

Berkley Group has created a new Article, Overlay Zoning Districts, to house all overlay districts. These districts differ from the primary zoning districts because they “Overlay” and any requirements are in addition to the underlying primary zoning district. These Overlay Zoning Districts were consolidated into a new Article to aid in administering these regulations. Overlay Districts include the Chesapeake Bay Preservation Overlay, the Floodplain Management Overlay, the Highway Corridor Overlay, and will include the military overlay (to be drafted and reviewed at the May worksession). The following revisions were made to these districts:

##### *A. Chesapeake Bay Preservation Overlay District*

- This content is predominately taken from the existing Ordinance as is. Some additions have been made and minimal reorganizing of content and provisions occurred.
- A provision has been added (5-2-3 A 2) that allows the Zoning Administrator to determine boundaries and waive assessments; this is permitted by Code of Virginia 9VAC25-830-110.
- Section 8.11.2 (9) has been expanded to include additional requirements for agricultural land – including recommendations for conservation practices; assessments on agricultural fields adjacent to RPAs are the highest priority, but assessments can be required for all fields/tracts within an

operation, even if there are RMA areas; and findings and soil and water quality conservation plans are to be sent to the local Soil and Water Conservation District Board for approval.

- *Benchmark localities were reviewed for additional items above what is currently required. See Attachment D for additional provisions to consider adding.*

*B. Flood Hazard Overlay District*

- The existing Floodplain Management Overlay content has been comprehensively overhauled; this overlay has been modified using information from the 2017 floodplain model ordinance provided by Virginia Department of Conservation and Recreation. These revisions are intended to clarify existing standards and to ensure compliance with Code of Virginia requirements.
- Aside from the abovementioned restructuring and introductions of new sections, the draft now includes a provision that requires a freeboard of 12 inches (additional inches of elevation added above the base flood elevation) to be added to the height standard [lowest floor] as an additional margin of safety in case the models have an error or are based on incomplete data, this change will also help reduce flood insurance rates. The state model ordinance recommends 18 inches of freeboard; however, many localities use 12 inches.

*C. Highway Corridor Overlay District*

- Restructured standards to include references to Article VIII, Community Design Standards.
  - a. Additional design standards (e.g., landscaping) applicable to this district will be provided in Article VIII (Community Design Standards).
- Modified to allow exceptions to HCOD regulations, granted by the Planning Commission and Board of Supervisors (rather than the BZA.)

## Next Steps

The Berkley Group will review any recommendations and comments for incorporation and continue drafting ordinance articles. Topics to be discussed at the next meeting include:

- Article VI, Use Matrix
- Article VII, Use Performance Standards
- Military Overlay (Article V)
- Related Definitions